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House Bill _____
By _____

Senate No. SB0439
By Holcomb

AN ACT to amend Tennessee Code Annotated, Title 71, relative to aid to families with dependent children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-104, is amended by adding Sections 2 through 4 of this act as new, appropriately designated subsections.

SECTION 2. In determining eligibility under §71-3-103, notwithstanding any other provision of law, rule or regulation to the contrary, an AFDC recipient shall be permitted to own one licensed and operable family motor vehicle and such vehicle shall not be included in any resource eligibility determination.

SECTION 3. The amount of grant payments made under the AFDC program shall be reduced by twenty percent (20%) if the caretaker relative of a dependent child fails to obtain the recommended immunizations specified in §37-10-401 within the first two (2) years of the child's life. One-half (1/2) of such amount withheld shall be returned to the caretaker relative upon submitting evidence to the department that such dependent child has obtained the recommended immunizations.

SECTION 4. The amount of grant payments made under the AFDC program shall be reduced by twenty percent (20%) if a caretaker relative of a dependent child fails to obtain preventative health care for the child or if a dependent child fails to attend school in accordance with the provisions of §§49-6-3002, 49-6-3007(e) and 49-2-203(b)(7). If the amount is withheld for failure to obtain preventative health care for the child, one-half (1/2) of such amount withheld shall be returned to the caretaker relative upon submitting evidence to the department that such caretaker relative has obtained the necessary health care for the child. If the amount is withheld due to the child's failure to attend school, one-half (1/2) of such amount withheld shall be returned to the caretaker relative upon submitting evidence to the department that the child is now attending school as required by law.

SECTION 5. Tennessee Code Annotated, Title 71, Chapter 3, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) Except as provided in subsection (b) of this section, if a person applying for assistance under this chapter is under eighteen (18) years of age, has never married, and is either pregnant or has a dependent child in the applicant's care, the applicant is not eligible for such assistance if:

(1) the applicant and the applicant's dependent child or children do not live in a place maintained by the applicant's parent, legal guardian, or other adult relative as such person's own home, or do not live in a foster home, maternity home, or other supportive living arrangement supervised by an adult; and

(2) the department determines after investigation that the physical or emotional health or safety of the person applying for assistance or the dependent child or children would not be jeopardized if the applicant and the dependent child or children were required to live in one of the situations described in paragraph (1) of this subsection.

(b) Subsection (a) of this section does not apply if:

(1) the person applying for assistance has no parent, legal guardian or other adult relative whose whereabouts are known;

(2) no parent, legal guardian or other adult relative of the person applying for assistance allows the person to live in the home of that parent, legal guardian or other adult relative; or

(3) the department otherwise determines that there is good cause not to apply subsection (a) of this section.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.